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STATE OF COLORADO

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COLORADO DEPARTMENT OF HEALTH

Dedicated to protecting and improving the health and
environment of the people of Colorado

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Roy Romer
Governor

Patricia A. N.
Executive Director

EG&C
ROCKY FLATS PLANT
CORRESPONDENCE CONTROL

4300 Cherry Creek Dr. S. Laboratory Building
Denver, Colorado 80222-1530 4210 E. 11th Avenue
Phone (303) 692-2000 Denver, Colorado 80220-3716
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January 4, 1992

Mr. Richard J. Schassburger
U. S. Department of Energy
Rocky Flats Plant
P. O. Box 928
Golden, Colorado 80402-0928



000026975

Re: Failure to Comply with IAG Milestones, OU-4 IM/IRA Decision Document

Dear Mr. Schassburger,

The Colorado Department of Health, Hazardous Materials and Waste Management Division (the Division) and the U. S. Environmental Protection Agency (EPA) are responding to a letter dated October 23, 1992 from J. K. Hartman to the undersigned. In that letter, DOE acknowledged its inability to meet schedules for implementation of the OU-4 Solar Evaporation Ponds IM/IRA Decision Document.

Failure to meet the schedules defined within the approved decision document constitute a violation by the Department of Energy (DOE) of the Interagency Agreement (IAG); Part 20; and the Statement of Work (SOW), Section I.B.10, page 11, second paragraph. Additionally, DOE violated the same section by neither fully, nor regularly, apprising the Division and EPA of the problems that delayed construction and testing of the Building 910 flash evaporators. Monthly progress reporting of problems and their resolution is specified on page 11, fourth paragraph of the SOW and Part 34 of the IAG.

DOE must submit a revised schedule for full and finalized implementation of the IM/IRA no later than January 22, 1993, for EPA and CDH review and approval. If approved, the schedule will be enforceable as stipulated in Part 20 of the IAG. This schedule should, at a minimum, include dates and technical justification for the following milestones:

Complete Building 910 Construction.

Complete Cold Test with Plant Raw Water.

Complete Hot Test with Solar Pond Water.

Building 910 Evaporators Fully Operational.

Interceptor Trench Water Diverted to Surge Tanks.

Excess Liquids Removed from Ponds.

ADMIN RECORD

ACTION
DIST. LTR ENC
BENEDETTI, R.L. ☒
BENJAMIN, A. ☐
BERMAN, H.S. ☐
BARNIVAL, G.J. ☐
CORDOVA, R.C. ☐
CROUCHER, D.W. ☐
DAVIS, J.G. ☐
FERRERA, D.W. ☐
HANNI, B.J. ☐
HEALY, T.J. ☐
HEDAH, T.G. ☐
HILBIG, J.G. ☐
IDEKER, E.H. ☐
KIRBY, W.A. ☐
KUESTER, A.W. ☐
LEE, E.M. ☒
MANN, H.P. ☐
MARX, G.E. ☐
McKENNA, F.G. ☐
MORGAN, R.V. ☐
PIZZUTO, V.M. ☐
POTTER, G.L. ☐
RILEY, J.H. ☐
SANDLIN, N.B. ☐
SATTERWHITE, D.G. ☐
SCHUBERT, A.L. ☐
SETLOCK, G.H. ☐
SHEPLER, R.L. ☐
SULLIVAN, M.T. ☐
SWANSON, E.R. ☐
WILKINSON, R.B. ☐
WILSON, J.M. ☐
ZANE, J.O. ☐

Taylor, K. ☒
adm kec ☒

CORRESP CONTROL ☒
RAFFIN ☐

Reviewed for Addressee
Corres. Control REP

1-12-93 ☒
DATE BY

Ref: Ltr. #

As indicated above, the schedules should include a milestone for the removal of excess liquids, the objective of this IM/IRA, but need not show a milestone for the removal of sludges. The removal and disposal of sludges will be addressed in forthcoming correspondence.

DOE must also upgrade the Environmental Restoration Program Monthly Report to meet the aforementioned requirements of the SOW and Part 32. Previous reporting did not adequately identify the problems that resulted in the missed completion dates.

EPA and CDH are pleased that DOE and EG&G management are now directly involved in direction and finalization of this project. However plant management inattention to the environmental restoration and waste management programs has resulted in the current situation on this IM/IRA, and in significant and repeated failures in Solar Pond sludge removal. We believe that the development of detailed and enforceable milestones, and refocusing the monthly activity reports to reflect implementation problems, are both necessary to keep DOE and EG&G management involved in the project, and assure its timely completion.

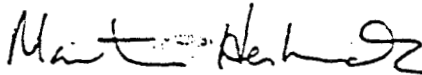
Please be advised that the Division and EPA will, as necessary, pursue their enforcement options to ensure that the IM/IRA is finalized in a timely manner.

If you have any questions please contact Harlen Ainscough of the Division at 692-3337, or Arturo Duran of EPA at 294-1080.

Sincerely,



Gary W. Baughman, Chief
Facilities Section
Hazardous Waste Control Program
Colorado Department of Health



Martin Hestmark, Manager
Rocky Flats Project
U.S. Environmental Protection Agency

cc: Daniel S. Miller, AGO
Jackie Berardini, CDH-OE
James K. Hartman, DOE
Frazer Lockhart, DOE
~~Ed Lee, EG&G~~
Fred Dowsett, CDH